

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

MICHAEL D. CANADA,)
Plaintiff,)
v.)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
Defendant.)
Case No. 4:04-CV-00063
ORDER
By: Jackson L. Kiser
Senior United States D.

The Plaintiff's *Motion for Attorney's Fees* [16] filed on June 23, 2006 by Michael D. Canada ("Plaintiff") for an award of attorney's fees under the provisions of 42 U.S.C. § 406(b) is now before this Court. In a *Response* [17] entered on July 11, 2006, the Defendant noted no objection to the award of attorney's fees to the Plaintiff. Magistrate Judge B. Waugh Crigler filed a *Report and Recommendation* [18] on July 14, 2006 recommending that this Court grant the Plaintiff's *Motion for Attorney's Fees* filed under the *Social Security Act*, 206(b), 42 U.S.C. §406(b), and award counsel for the Plaintiff \$7,100.00 in attorney fees to be withheld from Plaintiff's past due benefits.

Accordingly, the *Report and Recommendation* of the Magistrate Judge is hereby adopted, the Plaintiff's Motion for Attorney's Fees of is hereby granted, and it is hereby directed that fees of \$7,100 be paid to the counsel for the Plaintiff.

The Clerk is directed to send a certified copy of this *Order* to all counsel of record and to Magistrate Judge B. Waugh Crigler.

ENTERED this 18th day of July, 2006.

s/Jackson L. Kiser
Senior United States District Judge